

BILL

No. 77 of 1999-2000

An Act to amend *The Saskatchewan Human Rights Code* and to make consequential amendments to *The Labour Standards Act*

(Assented to _____, 2000)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

Short title

1 This Act may be cited as *The Saskatchewan Human Rights Code Amendment Act, 2000*.

S.S. 1979, c.S-24.1 amended

2 *The Saskatchewan Human Rights Code* is amended in the manner set forth in this Act.

Section 2 amended

3(1) Clause 2(1)(d.1) is amended:

(a) in subclause (i):

(i) in the portion preceding paragraph (A) by striking out “that is caused by bodily injury, birth defect or illness”; and

(ii) in paragraph (H) by striking out “guide dog” and substituting “service animal”; and

(b) by repealing paragraph (ii)(A) and substituting the following:

“(A) an intellectual disability or impairment”.

(2) Clause 2(1)(e) is amended by adding “and includes a person engaged pursuant to a limited term contract” after “employer”.

(3) Clause 2(1)(i) is amended by striking out “his” wherever it appears and in each case substituting “the owner’s”.

(4) The following clause is added after clause 2(1)(i):

“(i.01) ‘**marital status**’ means that state of being engaged to be married, married, single, separated, divorced, widowed or living in a common-law relationship, but discrimination on the basis of a relationship with a particular person is not discrimination on the basis of marital status”.

(5) The following clause is added after clause 2(1)(m):

“(m.01) **‘prohibited ground’** means:

- (i) religion;
- (ii) creed;
- (iii) marital status;
- (iv) family status;
- (v) sex;
- (vi) sexual orientation;
- (vii) disability;
- (viii) age;
- (ix) colour;
- (x) ancestry;
- (xi) nationality;
- (xii) place of origin;
- (xiii) race or perceived race; and
- (xiv) receipt of public assistance”.

(6) The following clause is added after clause 2(1)(m.1):

“(m.2) **‘religion’** includes all aspects of religious observance and practice as well as beliefs”.

(7) The following clause is added after clause 2(1)(p):

“(q) **‘undue hardship’** means, for the purposes of sections 31.2 and 31.3, intolerable financial cost or disruption to business having regard to the effect on:

- (i) the financial stability and profitability of the business undertaking;
- (ii) the value of existing amenities, structures and premises as compared to the cost of providing proper amenities or physical access;
- (iii) the essence or purpose of the business undertaking; and
- (iv) the employees, customers or clients of the business undertaking, disregarding personal preferences;

but does not include the cost or business inconvenience of providing washroom facilities, living quarters or other facilities for persons with physical disabilities where those facilities must be provided by law for persons of both sexes”.

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Section 8 amended

4 Section 8 is amended by adding “or her” after “his”.

New section 9

5 Section 9 is repealed and the following substituted:

“Right to engage in occupations

9 Every person and every class of persons shall enjoy the right to engage in and carry on any occupation, business or enterprise under the law without discrimination on the basis of a prohibited ground”.

Section 10 amended

6 Subsection 10(1) is repealed and the following substituted:

“(1) No person shall, on the basis of a prohibited ground:

- (a) deny to any person or class of persons the opportunity to purchase any commercial unit or any place of dwelling that is advertised or in any way represented as being available for sale;
- (b) deny to any person or class of persons the opportunity to purchase or otherwise acquire land or an interest in land; or
- (c) discriminate against any person or class of persons with respect to any term of the purchase or other acquisition of any commercial unit or any place of dwelling, land or any interest in land”.

Section 11 amended

7(1) Subsection 11(1) is repealed and the following substituted:

“(1) No person, directly or indirectly, alone or with another, or by the interposition of another shall, on the basis of a prohibited ground:

- (a) deny to any person or class of persons occupancy of any commercial unit or any housing accommodation; or
- (b) discriminate against any person or class of persons with respect to any term of occupancy of any commercial unit or any housing accommodation”.

(2) Subsection 11(2) is amended by striking out “his” and substituting “the owner’s”.

(3) Subsection 11(3) is amended by striking out “his” and substituting “the owner’s”.

Section 12 amended

8(1) Subsection 12(1) is repealed and the following substituted:

“(1) No person, directly or indirectly, alone or with another, or by the interposition of another shall, on the basis of a prohibited ground:

- (a) deny to any person or class of persons the accommodation, services or facilities to which the public is customarily admitted or that are offered to the public; or

(b) discriminate against any person or class of persons with respect to the accommodation, services or facilities to which the public is customarily admitted or that are offered to the public”.

(2) Subsection 12(2) is amended by striking out “his sex” and substituting “the sex of that person”.

Section 13 amended

9 Subsection 13(1) is repealed and the following substituted:

“(1) Every person and every class of persons shall enjoy the right to education in any school, college, university or other institution or place of learning, vocational training or apprenticeship without discrimination on the basis of a prohibited ground other than age”.

Section 14 amended

10(1) Subsection 14(1) is repealed and the following substituted:

“(1) No person shall publish or display, or cause or permit to be published or displayed, on any lands or premises or in a newspaper, through a television or radio broadcasting station or any other broadcasting device, or in any printed matter or publication or by means of any other medium that the person owns, controls, distributes or sells, any representation, including any notice, sign, symbol, emblem, article, statement or other representation:

(a) tending or likely to tend to deprive, abridge or otherwise restrict the enjoyment by any person or class of persons, on the basis of a prohibited ground, of any right to which that person or class of persons is entitled under law; or

(b) that exposes or tends to expose to hatred, ridicules, belittles or otherwise affronts the dignity of any person or class of persons on the basis of a prohibited ground”.

(2) Subsection 14(2) is amended by striking out “speech” and substituting “expression”.

Section 15 amended

11(1) Subsection 15(1) is repealed and the following substituted:

“(1) No person shall, in making available to any person a contract that is offered to the public:

(a) discriminate against any person or class of persons on the basis of a prohibited ground; or

(b) include terms in the contract that discriminate against a person or class of persons on the basis of a prohibited ground”.

(2) Subsection 15(1.2) is amended in the portion following clause (e) by adding “, age” after “disability”.

(3) Subsection 15(1.3) is repealed.

Section 16 amended**12(1) Subsections 16(1) to (3) are repealed and the following substituted:**

“(1) No employer shall refuse to employ or continue to employ or otherwise discriminate against any person or class of persons with respect to employment, or any term of employment, on the basis of a prohibited ground.

“(2) No employee shall discriminate against another employee on the basis of a prohibited ground.

“(3) No employment agency shall discriminate against any person or class of persons in receiving, classifying, disposing of or otherwise acting on applications for the agency’s service or in referring an applicant or applicants to an employer or anyone acting on an employer’s behalf on the basis of a prohibited ground.

“(3.1) No employer shall use, in the hiring or recruitment of persons for employment, an employment agency that discriminates against any person or class of persons seeking employment on the basis of a prohibited ground”.

(2) Subsection 16(5) is repealed and the following substituted:

“(5) Nothing in this section deprives a college established pursuant to an Act of the Legislature, a school, a board of education or the Conseil scolaire fransaskois of the right to employ persons of a particular religion or religious creed where religious instruction forms or may form the whole or part of the instruction or training provided by the college, school, board of education or Conseil scolaire fransaskois pursuant to *The Education Act, 1995*”.

(3) Clause 16(8)(b) is amended by striking out “his” and substituting “the”.**New section 17****13 Section 17 is repealed and the following substituted:****“Right to membership in professional and trade associations**

17 Every person and every class of persons shall enjoy the right to membership, and all the benefits appertaining to membership, in any professional society or other occupational association without discrimination on the basis of a prohibited ground”.

New section 18**14 Section 18 is repealed and the following substituted:****“Discrimination by trade unions prohibited**

18 No trade union shall exclude any person from full membership or expel, suspend or otherwise discriminate against any of its members, or discriminate against any person in regard to employment by any employer, on the basis of a prohibited ground”.

New section 19

15 Section 19 is repealed and the following substituted:**“Forms, etc., not to express discrimination**

19(1) No person shall use or circulate any form of application for employment to which this Act applies or publish any advertisement in connection with that employment or prospective employment or make any written or oral inquiry or statement in connection with that employment that:

(a) expresses, either directly or indirectly, a limitation, specification or preference indicating discrimination or an intention to discriminate on the basis of a prohibited ground; or

(b) contains a question or request for particulars with respect to a prohibited ground.

(2) Notwithstanding subsection (1), for the purposes of subsection 16(5) or (10), an application or advertisement for employment may specify or contain a request for information respecting a qualification or preference permitted pursuant to subsection 16(5) or (10”).

Section 21 amended

16(1) Subsection 21(4) is repealed and the following substituted:

“(4) The Lieutenant Governor in Council shall designate one of the members as Chief Commissioner and may designate one other member as Deputy Chief Commissioner”.

(2) Subsection 21(5) is amended by striking out “his” and substituting “a”.

Section 22 repealed

17 Section 22 is repealed.

Section 23 amended

18 Subsection 23(3) is amended by striking out “board of inquiry established” and substituting “human rights tribunal appointed”.

New section 24

19 Section 24 is repealed and the following substituted:**“Superannuation**

24 *The Public Service Superannuation Act* and *The Superannuation (Supplementary Provisions) Act* apply to any persons appointed or employed by the commission pursuant to subsection 23(1)”.

Section 25 amended

20(1) Clause 25(a) is repealed and the following substituted:

“(a) forward the principle that every person is free and equal in dignity and rights without regard to religion, creed, marital status, family status, sex, sexual orientation, disability, age, colour, ancestry, nationality, place of origin, race or perceived race or receipt of public assistance”.

(2) Clause 25(c) is repealed and the following substituted:

“(c) develop and conduct educational programs designed to eliminate discriminatory practices”.

Section 27 amended**21 Subsection 27(4) is repealed and the following substituted:**

“(4) One or more grounds of discrimination may be alleged in any complaint.

“(5) Notwithstanding any other provision of this Act, the commission shall refuse to accept a complaint where the complaint is made more than two years after the person making the complaint became aware, or ought to have been aware, of the alleged act of discrimination.

“(6) Where subsection (5) applies, the commission shall not initiate a complaint”.

New section 27.1**22 The following section is added after section 27:****“Dismissal and deferral of complaint**

27.1(1) In this section, **‘proceeding’** includes a proceeding authorized by another Act, a civil proceeding or a grievance under a collective agreement.

(2) At any time after a complaint is filed or initiated pursuant to section 27, the Chief Commissioner, or person designated by the Chief Commissioner, may dismiss the complaint where he or she is of the opinion that:

- (a) the best interests of the person or class of persons on whose behalf the complaint was made will not be served by continuing with the complaint;
- (b) the complaint is without merit;
- (c) the complaint raises no significant issue of discrimination;
- (d) the substance of the complaint has been appropriately dealt with pursuant to another Act or proceeding;
- (e) the complaint is made in bad faith or for improper motives or is frivolous or vexatious;
- (f) there is no reasonable likelihood that an investigation will reveal evidence of a contravention of this Act; or
- (g) the complaint arises out of circumstances for which an exemption order has been made pursuant to section 48.

(3) The Chief Commissioner may, at any time after a complaint is filed or initiated, defer further action if another proceeding, in the opinion of the Chief Commissioner, is more appropriate having regard to the nature of the allegations and the remedies available in the other proceeding”.

Section 28 amended**23(1) Subsections 28(1) and (2) are repealed and the following substituted:**

“(1) Where a complaint is filed with or initiated by the commission, the Chief Commissioner, or any person designated by the Chief Commissioner, shall, subject to subsection 27(5) and section 27.1, do one or more of the following:

- (a) attempt to resolve the complaint by mediation between the parties;
- (b) attempt to negotiate a settlement of the complaint;

- (c) investigate the complaint;
- (d) continue an investigation of the complaint after an unsuccessful attempt to mediate or settle the matter.

“(2) The Chief Commissioner may, at any time after a complaint is filed or initiated pursuant to section 27, request the chairperson of the human rights tribunal panel to appoint a human rights tribunal to conduct an inquiry respecting the complaint.

“(2.1) A complaint shall be considered settled for the purposes of this Act only if the Chief Commissioner has approved the terms of the settlement”.

(2) Subsection 28(3) is repealed and the following substituted:

“(3) Where a complaint is settled for the purposes of this Act or a decision or order is made pursuant to section 31.3 or 31.4 by a human rights tribunal, the Chief Commissioner may, in his or her discretion, publicize in any manner the results of the settlement, decision or order”.

Section 28.1 amended

24(1) Subsection 28.1(1) is amended in the portion preceding clause (a) by striking out “inquiry” and substituting “an investigation”.

(2) Subsection 28.1(3) is amended by striking out “inquiry” and substituting “investigation”.

(3) Subsection 28.1(5) is amended in the portion preceding clause (a) by striking out “inquiry” and substituting “investigation”.

New sections 29 to 29.4

25 Section 29 is repealed and the following substituted:

“Human rights tribunals

29(1) The Lieutenant Governor in Council shall appoint a human rights tribunal panel consisting of at least three persons to act as human rights tribunals.

(2) The Lieutenant Governor in Council shall designate one of the persons appointed pursuant to subsection (1) as chairperson.

(3) Every person appointed to the human rights tribunal panel pursuant to subsection (1) is to hold office for a term of five years and until a successor is appointed, and may be reappointed for one further term of five years.

(4) Every person appointed to the human rights tribunal panel pursuant to subsection (1) shall:

- (a) be a member in good standing of the Law Society of Saskatchewan or of an equivalent organization of another province or territory and have been a member in good standing for at least five years; or

- (b) have experience or expertise in human rights law.

(5) Members of the human rights tribunal panel are to be paid remuneration for their services and allowances for their expenses at the rates set by the Lieutenant Governor in Council.

“Appointment of human rights tribunal

29.1(1) Where the Chief Commissioner requests the chairperson of the human rights tribunal panel to appoint a human rights tribunal, the chairperson shall:

- (a) appoint from the human rights tribunal panel one member to form the human rights tribunal to conduct an inquiry respecting a human rights complaint; and
 - (b) communicate to the parties to the inquiry the name of the member appointed as the human rights tribunal.
- (2) The chairperson may appoint himself or herself as the human rights tribunal pursuant to subsection (1).
- (3) The chairperson may, with the approval of the minister, appoint more than one member to form a human rights tribunal.

“Powers of a human rights tribunal

29.2(1) The human rights tribunal panel may:

- (a) establish pre-hearing procedures to facilitate settlement of complaints; and
 - (b) establish rules requiring the parties to disclose, before an inquiry begins, any documentary or expert evidence the parties intend to use at an inquiry.
- (2) A human rights tribunal may:
- (a) make decisions at a pre-hearing conference respecting the merits of a complaint that are binding on the parties;
 - (b) divert matters to alternative methods of dispute resolution, with the consent of the parties;
 - (c) require parties to attend a pre-hearing conference for the purposes of:
 - (i) promoting settlement;
 - (ii) identifying the legal and factual issues in dispute;
 - (iii) producing an agreed statement of facts;
 - (iv) resolving procedural issues; and
 - (v) dealing with any other matter the parties may agree to deal with or the human rights tribunal determines should be dealt with;
 - (d) make orders requiring the parties to disclose, before the inquiry begins, any documentary or expert evidence the parties intend to use at the inquiry; and
 - (e) allow a party to examine other parties under oath before the inquiry begins.

“Responsibilities of a human rights tribunal

29.3 A human rights tribunal shall:

- (a) conduct inquiries into complaints, as directed by the chairperson; and
- (b) adjudicate equal pay complaints pursuant to sections 19 and 20 of *The Labour Standards Act*.

“Review of commission’s decision

29.4(1) Not later than 30 days after receiving notice of the Chief Commissioner’s decision to dismiss a complaint pursuant to subsection 27.1(2), a complainant may, by notice in writing to the chairperson of the human rights tribunal panel, request an inquiry respecting the complaint.

(2) The complainant shall serve the Chief Commissioner and the person against whom the complaint was made with the notice requesting an inquiry.

(3) After the Chief Commissioner is served with the notice, he or she shall provide the complainant and the chairperson with a copy of the record respecting the complaint.

(4) The chairperson or a member of the human rights tribunal panel shall review the decision of the Chief Commissioner and may order an inquiry.

(5) Where an inquiry is ordered pursuant to subsection (4), the person who made the determination pursuant to subsection (4) shall not participate in the inquiry.

(6) The complainant shall have carriage of the complaint in an inquiry ordered pursuant to subsection (4).

(7) Counsel for the commission may participate in the inquiry.

(8) Sections 30 to 33, other than clause 30(1)(a), apply to an inquiry ordered pursuant to subsection (4), with any necessary modification”.

Section 30 amended

26 Subsection 30(1) is repealed and the following substituted:

“(1) The parties to an inquiry before a human rights tribunal with respect to any complaint are:

- (a) the commission, which shall have carriage of the complaint;
- (b) the person named in the complaint as the complainant;
- (c) any person named in the complaint who is alleged to have been dealt with contrary to the provisions of this Act;
- (d) any person named in the complaint who is alleged to have contravened this Act; and
- (e) any other person specified by a human rights tribunal, on any notice that the human rights tribunal may determine and after the person has been given an opportunity to be heard against the adding of the person as a party”.

New sections 31 to 31.6

27 Section 31 is repealed and the following substituted:**“Evidence at inquiry**

31(1) The human rights tribunal shall inquire into the matters complained of and give full opportunity to all parties to present evidence and make representations, through counsel or otherwise.

(2) Subject to any procedures and rules established by the human rights tribunal panel pursuant to subsection 29.2(1), a human rights tribunal may determine its own procedure and may receive and accept any evidence and information on oath, affidavit or otherwise that in its discretion it considers appropriate, whether admissible as evidence in a court of law or not, and the human rights tribunal has all the powers conferred on commissioners by sections 3 and 4 of *The Public Inquiries Act*.

(3) The oral evidence taken before a human rights tribunal shall be recorded.

(4) Without restricting the generality of subsection (2), a human rights tribunal shall, on an inquiry, be entitled to receive and accept evidence led for the purpose of establishing a pattern or practice of resistance to or disregard or denial of any of the rights secured by this Act, and the human rights tribunal shall be entitled to place any reliance that it considers appropriate on the evidence and on any pattern or practice disclosed by the evidence in arriving at its decision.

“Commission counsel

31.1 Counsel for the commission is entitled to participate in any inquiry in the same manner as counsel representing any party to the inquiry, including the right to call, examine and cross-examine witnesses and to address the human rights tribunal.

“Dismissal of complaint

31.2 A human rights tribunal shall dismiss a complaint where, at the conclusion of an inquiry, the human rights tribunal finds that:

- (a) the complaint to which the inquiry relates is not substantiated; or
- (b) the only basis on which the complaint could be substantiated is that the premises, facilities or services of the person complained against impede physical access or lack proper amenities for persons with disabilities and ordering that any measures be taken to improve physical access or provide proper amenities would cause undue hardship to the person complained against.

“Orders by human rights tribunal

31.3 Where the human rights tribunal finds that the complaint to which the inquiry relates is substantiated on a balance of probabilities, the human rights tribunal may, subject to section 31.5, order any person who has contravened any provision of this Act, or any other Act administered by the commission, to do any act or thing that in the opinion of the human rights tribunal constitutes full compliance with that provision and to rectify any injury caused to any person and to make compensation for that injury, including:

- (a) requiring that person to cease contravening that provision and, in consultation with the commission on the general purposes of that provision, to take measures, including adoption of a program mentioned in section 47, to prevent the same or a similar contravention occurring in the future;
- (b) requiring that person to make available to any person injured by that contravention, on the first reasonable occasion, any rights, opportunities or privileges that, in the opinion of the human rights tribunal, are being or were being denied the injured person and including, but without restricting the generality of this clause, reinstatement in employment;
- (c) requiring that person to compensate any person injured by that contravention for any or all of the wages and other benefits of which the injured person was deprived and any expenses incurred by the injured person as a result of the contravention;
- (d) requiring that person to pay any compensation that the human rights tribunal considers appropriate, to any person injured by that contravention, for any or all additional costs of obtaining alternative goods, services, facilities or accommodations and any expenses incurred by the injured person as a result of the contravention; and
- (e) requiring that person, where the complaint is based on disability and the premises, facilities or services of the person complained against impede physical access or lack proper amenities, to take measures to make the premises, facilities or services accessible or to provide proper amenities, other than measures that would cause an undue hardship.

“Order respecting compensation

31.4 A human rights tribunal may, in addition to any other order it may make pursuant to section 31.3, order the person who has contravened or is contravening that provision to pay any compensation to the person injured by that contravention that the human rights tribunal may determine, to a maximum of \$10,000, where the human rights tribunal finds that:

- (a) a person has wilfully and recklessly contravened or is wilfully and recklessly contravening any provision of this Act or any other Act administered by the commission; or
- (b) the person injured by a contravention of any provision of this Act or any other Act administered by the commission has suffered with respect to feeling, dignity or self-respect as a result of the contravention.

“Terms of order

31.5(1) No order made pursuant to section 31.3 shall contain a term:

- (a) requiring the removal of an individual from a position if that individual accepted employment in that position in good faith; or
- (b) requiring the expulsion of an occupant from any housing accommodation if the occupant obtained that housing accommodation in good faith.

(2) An order made pursuant to section 31.3 or 31.4 may require the person against whom the order is made to provide the Chief Commissioner with information respecting the implementation of the order.

“Restrictions on tribunals

31.6(1) No human rights tribunal conducting an inquiry respecting a complaint shall have taken part in any investigation or consideration of the complaint before the inquiry or shall communicate directly or indirectly in relation to the complaint with any person or representative of that person except on notice to all parties and with an opportunity for all parties to participate.

(2) Notwithstanding subsection (1), the human rights tribunal may seek legal advice independent of the parties, and in that case, the nature of the advice shall be made known to the parties in order that they may make submissions as to the law”.

Section 32 amended

28(1) Subsection 32(1) is repealed and the following substituted:

“(1) Any party to a proceeding before a human rights tribunal may appeal on a question of law from the decision or order of the human rights tribunal to a judge of the Court of Queen’s Bench by serving a notice of motion, in accordance with *The Queen’s Bench Rules*, within 30 days after the decision or order of the tribunal, on:

- (a) the human rights tribunal;
- (b) the commission; and
- (c) the other parties in the proceeding before the human rights tribunal”.

(2) Subsection 32(2) is repealed and the following substituted:

“(2) Where a notice of motion is served on the human rights tribunal, it shall immediately file, in the office of the local registrar of the Court of Queen’s Bench, the record of the proceedings before it in which the decision or order appealed from was made.

“(2.1) The record mentioned in subsection (2) and a transcript of the oral evidence taken before the tribunal, if it is not part of the record of the tribunal, constitutes the record in the appeal”.

(3) Subsection 32(4) is amended by striking out “board of inquiry” wherever it appears and in each case substituting “human rights tribunal”.

Section 33 amended

29(1) Subsection 33(1) is amended:

(a) **by striking out** “under section 31 by a board of inquiry” **and substituting** “pursuant to section 31.3 or 31.4 by a human rights tribunal”;
and

(b) **by striking out** “formal”.

(2) **Subsection 33(2) is amended by striking out** “he has satisfied himself that thirty days has” **and substituting** “the local registrar is satisfied that 30 days have”.

(3) **Subsection 33(4) is amended by striking out** “board of inquiry” **wherever it appears and in each case substituting** “human rights tribunal”.

New section 34

30 Section 34 is repealed and the following substituted:**“Immunity**

34 Neither the minister, the commission, a member of the commission, an employee of the commission nor a member of the human rights tribunal panel constituted pursuant to this Act is liable for any loss or damage suffered by any person by reason of any thing done or omitted to be done in good faith pursuant to or in the exercise or supposed exercise of the powers conferred by this Act”.

Section 35 amended

31(1) Subsection 35(1) is amended by striking out “section 31” **and substituting** “section 31.3, 31.4”.

(2) **Subsection 35(2) is repealed.**

(3) **Subsection 35(3) is amended by striking out** “or (2)”.

(4) **Subsection 35(4) is repealed and the following substituted:**

“(4) The penalties provided by this section may be enforced on the information of the Chief Commissioner or any other person in whose favour an order has been made pursuant to section 31.3, 31.4, 32 or 38”.

Section 36 amended

32 Subsection 36(2) is amended by striking out “his” **and substituting** “the officer’s or agent’s”.

Section 39 amended

33(1) Subsection 39(1) is amended in the portion preceding clause (a) by striking out “or by any other person on his behalf” **and substituting** “, herself or any other person on his or her behalf”.

(2) **Subsection 39(2) is amended by striking out** “or by any other person on his behalf” **and substituting** “, herself or any other person on his or her behalf”.

Section 40 amended

34 Section 40 is amended by adding “or her” **after** “his”.

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Section 45 amended

35 Section 45 is amended:

- (a) in clause (b) by striking out “his” and substituting “that person’s”;**
and
- (b) in clause (c) by striking out “his” and substituting “that person’s”.**

Section 46 amended

36(1) Clause 46(c) is amended by striking out “formal”.

(2) Clause 46(d) is amended by striking out “guide dogs” and substituting “service animals”.

(3) The following clauses are added after clause 46(d):

“(e) prescribing contracts or categories of contracts for the purposes of subsection 15(1.2);

“(f) respecting information to be provided by persons complained against;

“(g) prescribing any matter or thing required or authorized by this Act to be prescribed in the regulations;

“(h) respecting any other matter or thing that the Lieutenant Governor in Council, or the commission with the approval of the Lieutenant Governor in Council, considers necessary to carry out the intent of this Act”.

Section 47 amended

37 Subsection 47(2) is amended in the portion preceding clause (a) by striking out “board of inquiry” and substituting “human rights tribunal”.

Section 48 amended

38(1) Subsection 48(1) is amended by striking out “commission or the Director of Human Rights” wherever it appears and in each case substituting “Chief Commissioner”.

(2) Subsection 48(3) is amended by striking out “registered” and substituting “ordinary”.

Section 49 amended

39(1) Clause 49(1)(c) is amended by striking out “formal”.

(2) Subsection 49(2) is amended by striking out “him” and substituting “the minister”.

R.S.S. 1978, c.L-1 amended

40(1) *The Labour Standards Act* is amended in the manner set forth in this section.

(2) Subsection 19(1) is repealed and the following substituted:

“(1) Where the officer appointed pursuant to section 18 is unable to effect a settlement, the director may advise the chairperson of the human rights tribunal panel appointed pursuant to *The Saskatchewan Human Rights Code* and request the chairperson to appoint a human rights tribunal to conduct an inquiry into the matter”.

(3) Section 20 is repealed and the following substituted:

“Procedure on inquiry

20 Where a request is made pursuant to section 19, the chairperson of the human rights tribunal panel shall appoint a human rights tribunal and sections 31 to 31.6 and 32 of *The Saskatchewan Human Rights Code* apply, with any necessary modification, to the inquiry”.

Coming into force

41 This Act comes into force on proclamation.